# GOVERNMENT OF INDIA
# INFORMATION AND BROADCASTING
# LOK SABHA

UNSTARRED QUESTION NO:118
ANSWERED ON:16.11.2016
Misleading Advertisement
Reddy Shri A.P. Jithender

**Will the Minister of INFORMATION AND BROADCASTING be pleased to state:**

(a) whether the Government has taken notice or received complaints of misleading and vulgar advertisements being aired on television channels and other mediums in the country and if so, the details thereof;

(b) whether the Government has advised TV channels to discontinue the telecast of such advertisements and taken action against them and if so, the details thereof; and

(c) other corrective measures taken by the Government in this regard and the details thereof?

## Answer

MINISTER OF STATE IN THE MINISTRY OF INFORMATION & BROADCASTING [COL RAJYAVARDHAN RATHORE (Retd.)]

(a) to (c) As per existing regulating framework, all programmes and advertisements telecast on TV channels and transmitted/retransmitted through the Cable TV network are required to adhere to the Programme and Advertising Codes prescribed under the Cable TV Networks (Regulation) Act, 1995 and Rules framed thereunder. Action is taken as per rules suo-motu as well as when violation of Codes is brought to the notice of the Ministry. These codes contain a range of parameters to regulate programmes and advertisements including provisions to address content of obscenity, vulgarity and misleading advertisements.
Ministry has constituted an Inter Ministerial Committee (IMC) to look into the violations suo-motu or whenever violations of the Programme and Advertising Codes are brought to the notice of this Ministry in respect of private satellite TV channels. IMC has representatives from the Ministry of Home Affairs, Defence, External Affairs, Law, Women and Child Development, Health and Family Welfare, Consumer Affairs and a representative from the industry in Advertising Standards Council of India (ASCI). IMC meets periodically and recommends action in respect of violations reported, whenever warranted.
A list showing details of action taken against TV channels for telecasting advertisements in violation of Rule 7(5) regarding misleading advertisements is at Annexure-I. Details of action taken on violation of Programme Code by private TV channels for telecast of content of obscenity, vulgarity and nudity in TV programmes during the last three years and the current year are enclosed at Annexure-II.

Government has encouraged self-regulation of advertising industry in electronic media. The Advertising Standards Council of India (ASCI), a voluntary self-regulatory body of Advertisement Industry, self-regulates advertising content to monitor and decide on complaints against objectionable advertisements. During the year 2015-16 the Consumer Complaints Council (CCC) of ASCI deliberated on complaints against a total of 2020 advertisements and upheld complaints against 1271 advertisements.
In so far as Print Media is concerned, Press Council has stated that whenever it receives complaint on misleading advertisement it takes action as per the Press Council Act.
The Department of Consumer Affairs has informed that they have launched a portal on 18.03.2015 for registering online complaints for Grievances Against Misleading Advertisement (GAMA). One can register a complaint (including the complaints given in regional language) along with the copy/video/audio of such advertisement in the portal. Advertising Standards Council of India (ASCI) handles the complaints received through the GAMA portal of the Department.

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